



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

DKK/ICR/FJN
F. #2021R00059

*271 Cadman Plaza East
Brooklyn, New York 11201*

April 16, 2021

By ECF

The Honorable Pamela K. Chen
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: United States v. Brendan Hunt,
21-CR-086 (PKC)

Dear Judge Chen:

The government writes regarding the introduction of videos at trial depicting the attack on the United States Capitol, which took place on January 6, 2021. As discussed at yesterday's hearing, the government will be calling a United States Capitol Police officer to testify about certain of the events that took place on January 6. As part of the testimony, the Court has stated that the government may play the videos that the defendant posted, which depicted the attack. The government sought leave of Court to play other, additional videos of the attack.

At this time, the government will heed the Court's guidance and not seek to play any additional videos during the officer's direct testimony. However, if the defendant elicits any testimony (on direct or cross-examination), offers evidence, or argues to the jury that the attack on the United States Capitol was non-violent, unserious, non-threatening or non-frightening to Members of Congress and/or staff, the government will seek the Court's permission to play the attached video, at the following timestamps: 00:05 – 0:10; 02:51-5:14; 6:03-6:30, and 8:40-9:32.

The government has provided the video for the Court's inspection via a file-sharing program.

Very truly yours,

MARK J. LESKO
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Clerk of the Court (PKC) (by ECF)